

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 16-CR-156

v.

LISA STADTMUELLER,

Defendant.

**ORDER DENYING MOTION FOR AMENDMENT OF
PRESENTENCE INVESTIGATION REPORT**

Defendant Lisa Stadtmueller was sentenced to 60 months in the custody of the Bureau of Prisons for the crime of Conspiracy to Distribute and Possession with Intent to Distribute 100 grams or more of Heroin. The 60 months was the mandatory minimum sentence. A search of the home in which the defendant was staying revealed not only heroin and cash, but a .45 caliber pistol, a .22 caliber revolver, and numerous rounds of ammunition. Based upon these facts, a two-level enhancement under USSG §2D1.1(b)(1) was applied to the offense severity score. No objection was raised at the time of sentencing. Stadtmueller has now filed a motion with the court requesting that her pre-sentence report be amended to remove the reference to firearms so that she can receive a one-year reduction in her sentence for completing the 500-hour drug abuse program within the Bureau of Prisons.

Stadtmueller's motion must be denied. The mere fact that she wishes to receive sentence credit for her completion of the drug abuse program does not constitute a ground for removing the reference to the firearm enhancement. Stadtmueller did not object at the time of sentencing and, in her current motion, she does not claim that she did not possess or have access to the firearms in

her home. Under these circumstances, and given the absence of a previous objection to the facts in the presentence report, her motion must be denied.

SO ORDERED this 23rd day of July, 2019.

s/ William C. Griesbach
WILLIAM C. GRIESBACH, Chief Judge
United States District Court - WIED